

MEMO ENDORSED

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December 16, 2010

Via Fax

The Honorable Frank Mass  
United States Magistrate Judge  
United States Courthouse  
500 Pearl St., Courtroom 20A  
New York, NY 10007-1312

*We can meet that morning, but  
I suggest we begin at 9:30 am,  
as I have another engagement at  
noon that cannot be postponed.*

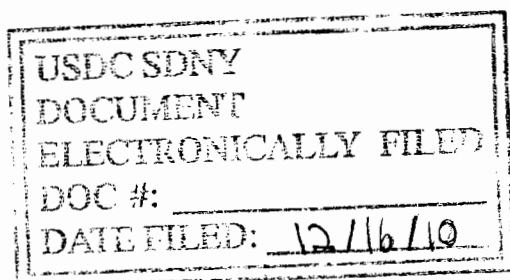
Re: BayRock Group LLC v. Bernstein, Case No.: 10 Civ. 6338

*Mass, USMT,  
12/16/10*

Dear Judge Mass:

This firm represents the defendant in the above-referenced matter. Due to the upcoming holidays and the unavailability of counsel, and with consent of plaintiff's counsel, this letter is written to request an adjournment of the settlement conference scheduled for December 29, 2010 at 2 p.m. This is the first request for an adjournment.

After contacting Chambers to secure an acceptable alternative date, we respectfully request that the conference be rescheduled on January 13 at 10:00 a.m.



Respectfully submitted,

A handwritten signature in dark ink, appearing to read "D. Wrobel".

David C. Wrobel

cc: Walter A. Saurack, Esq.  
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